



PATENT APPLICATION

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#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DEKKER, A.

Serial No.: 10/081,887

Filed: February 22, 2002

Confirmation No.: 9941

Atty. File No.: 41942-04500

For: "MONITORING MAYER WAVE  
EFFECTS BASED ON A  
PHOTOPLEHYSMOGRAPHIC  
SIGNAL"

) Group Art Unit: 3736  
)  
) Examiner: Not Yet Assigned  
)  
) SUBMISSION OF MISSING PARTS  
)

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 ON <u>May 14, 2002</u>.</p> <p style="text-align: center;">MARSH FISCHMANN &amp; BREYFOGLE LLP</p> <p>BY: <u>Bobby D. Simon</u> Bobby D. Simon</p>
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Assistant Commissioner For Patents  
Washington, D.C. 20231  
BOX MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts dated April 5, 2002 in connection with the above-identified application, enclosed herewith please find a Declaration. Please note that the Assignment documents have been submitted to the Assignment Branch under separate cover on this same date.

Also enclosed please find a check in the amount of \$1,434.00 which includes payment of the filing fee in the amount of \$1,304.00 reflecting large entity status, and the amount of \$130.00

for payment of the surcharge. Please credit any overpayment or debit any underpayment to  
Deposit Account No. 50-1419. A copy of the Notice to File Missing Parts is also enclosed.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: Kent A. Fischmann

Kent A. Fischmann, Esq.  
Registration No. 35,511  
3151 South Vaughn Way, Suite 411  
Aurora, Colorado 80014  
(720)562-5501

Date: May 14, 2002

PN. 0300 5B. 148 \$

**Response To Notice To File Missing Parts Of Application**  
**Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
41942-04500

In Re Application Of: DEKKER, A.

COPY OF PAPERS  
ORIGINALLY FILED

Serial No.  
10/081,887

Filing Date  
February 22, 2002

Examiner  
Not Yet Assigned

Group Art Unit  
3736

Invention: "MONITORING MAYER WAVE EFFECTS BASED ON A PHOTOPLETHYSMOGRAPHIC SIGNAL"

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
April 5, 2002  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Submission of Missing Parts  
Check No. 2521  
Acknowledgment Postcard

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**41942-04500**

In Re Application Of: **DEKKER, A.**

Serial No.  
**10/081,887**

Filing Date  
**February 22, 2002**

Examiner  
**Not Yet Assigned**

Group Art Unit  
**3736**

Invention: **"MONITORING MAYER WAVE EFFECTS BASED ON A PHOTOPLETHYSMOGRAPHIC SIGNAL"**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

☒ Completion of application fees as calculated below:

- |   |                             |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Utility application filing fee  | <u>\$740.00</u>             |
| <input type="checkbox"/> Design application filing fee  | <u>                    </u> |
| <input checked="" type="checkbox"/> Total number of independent claims = <u>5</u>   | <u>\$168.00</u>             |
| <input checked="" type="checkbox"/> Total number of claims = <u>42</u>  | <u>\$396.00</u>             |
| <input type="checkbox"/> Multiple dependent claims  | <u>                    </u> |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | <u>\$130.00</u>             |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor               | <u>                    </u> |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification                      | <u>                    </u> |
| <input type="checkbox"/> Fee for processing and retention of application  | <u>                    </u> |

Total completion of application fees \$1,434.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

- ☐ One month      ☐ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from:                      until:                       
Date Date

Total time extension fees                     

Total fees due \$1,434.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
**41942-04500**

In Re Application Of: **DEKKER, A.**

Serial No.  
**10/081,887**

Filing Date  
**February 22, 2002**

Examiner  
**Not Yet Assigned**

Group Art Unit  
**3736**

Invention: **"MONITORING MAYER WAVE EFFECTS BASED ON A PHOTOPLETHYSMOGRAPHIC SIGNAL"**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

The fee of **\$1,434.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.  
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-1419**  
A duplicate copy of this sheet is enclosed.

  
Signature

Dated: **May 14, 2002**

**Kent A. Fischmann, Esq.  
Registration No. 35,511  
3151 South Vaughn Way  
Suite 411  
Aurora, Colorado 80014  
(720)562-5501**

I certify that this document and fee is being deposited  
on **May 14, 2002** with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

**Bobby D. Simon**

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE



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ORIGINAL FILED

Page 1 of 1  
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ORIGINAL

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,887	02/22/2002	Andre Dekker	41942-04500

CONFIRMATION NO. 9941

FORMALITIES LETTER



\*0C00000007603925\*

Kent A. Fischmann, Esq.  
3151 South Vaughn Way, Suite 411  
Aurora, CO 80014

Date Mailed: 04/05/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$584.
  - \$396 for 22 total claims over 20.
  - \$188 for 2 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1434.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/07/2002 SMINASSI 00000004 10081887

01 FD:101	740.00 GP
02 FD:103	396.00 GP
03 FD:102	188.00 GP
04 FD:105	130.00 GP